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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 TRISTATE ROOFING INC,

8 Plaintiff,

9 v.

10 PROROOING INC,

11 Defendant.

CASE NO. 2:20-cv-01516-RAJ-BAT

**ORDER SETTING TRIAL DATE
AND PRETRIAL SCHEDULE**

12 This case has been referred to the undersigned United States Magistrate Judge for all
13 pretrial proceedings. The Court has reviewed the parties' Joint Status Report (Dkt 22), and issues
14 the following pretrial schedule:

Event	Date
Deadline for joining additional parties	September 21, 2021
Deadline for amending pleadings	October 22, 2021
Disclosure of expert witnesses under FRCP 26(a)(2)(A) due	December 27, 2021
Last day for service of written fact discovery	February 21, 2022
All motions related to discovery must be noted for consideration no later than	March 11, 2022
Fact Discovery to be completed by	March 21, 2022
Mediation per CR 39.1(c) held no later than	April 21, 2022
Service of expert reports by parties on all issues for the party bears the burden of proof	May 6, 2022

1	Service of rebuttal expert reports	May 21, 2022
2	Last day for Expert Depositions	June 21, 2022
3	All dispositive motions must be filed pursuant to CR 7(d)	June 23, 2022
4	All <i>Daubert</i> motions must be filed by	June 23, 2022
5	Plaintiff's CR 16 Pretrial Statement due	To be set by assigned District Judge
6	Defendant's CR 16 Pretrial Statement due	To be set by assigned District Judge
7	All motions in limine must be filed by this date and noted on the motion calendar no later than the second Friday after filing	To be set by assigned District Judge
8	Agreed CR 16.1 Pretrial Order due	To be set by assigned District Judge
9	Pretrial conference scheduled in Courtroom 12A	To be set by assigned District Judge
10	Jury Trial Estimated trial length: five day	To be set by assigned District Judge
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13 The parties disagree regarding whether the Court should set separate, accelerated
14 deadlines for discovery and a dispositive motion relating to Defendant's affirmative defenses.
15 The Court declines to truncate discovery on this single issue as the parties otherwise request over
16 a year to conduct and complete discovery in this case.

17 This order sets firm dates that can be changed only by order of the Court, not by
18 agreement of counsel for the parties. The Court will alter these dates only upon good cause
19 shown. Failure to complete discovery within the time allowed is not recognized as good cause.
20 If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal
21 holiday, the act or event shall be performed on the next business day. If the dates set in this
22 matter create an irreconcilable conflict, counsel must notify Deputy Clerk Andy Quach in writing
23 within 10 days of the date of this Order and must set forth the exact nature of the conflict. A
failure to do so will be deemed a waiver.

1 **TRIAL DATE**

2 A trial date will be set by the assigned District Judge, the Honorable Richard A. Jones, if
3 the case has not been resolved by settlement.

4 **DISCOVERY**

5 As required by CR 37(a), all discovery matters are to be resolved by agreement if
6 possible. If there is a dispute the parties believe can be resolved through a phone conference
7 with the court, the parties should contact Andy Quach at (206) 370-8421 or via e-mail at:
8 Andy_Quach@wawd.uscourts.gov, as soon as possible.

9 **SETTLEMENT AND MEDIATION**

10 The Court designates this case for mediation under CR 39.1(c) and the parties are
11 directed to follow through with the procedures set forth in that rule. If this case settles,
12 plaintiff's counsel shall notify Andy Quach at (206) 370-8421 or via e-mail at:
13 andy_quach@wawd.uscourts.gov, as soon as possible. Pursuant to CR11(b), an attorney who
14 fails to give the Deputy Clerk prompt notice of settlement may be subject to such discipline as
15 the Court deems appropriate. The Clerk is directed to send copies of this Order to all parties of
16 record.

17 **OTHER PRETRIAL DEADLINES AND TRIAL DATE**

18 If the case is not resolved through settlement or rulings on dispositive motions, the
19 assigned District Judge will set the due dates for pretrial statements, exhibits, motions in limine
20 and also set the trial date.

21 **OPTION TO CONSENT**

22 If the parties decide to exercise their option to consent to the undersigned United States
23 Magistrate Judge, they should advise Andy Quach via e-mail at:

1 andy_quach@wawd.uscourts.gov, no later than **July 22, 2021**. If the parties decide to consent,
2 the undersigned will set a jury trial date and due dates for pretrial statements, exhibits, and
3 motions in limine.

4 DATED this 8th day of July, 2021.

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BRIAN A. TSUCHIDA
United States Magistrate Judge